

ORIGINAL

20
Ech 1-8

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
U.S. DIST. COURT CLERK
EAST DIST. MICH
FLINT

2007 APR 13 A 9:06

AT FLINT

TEKERA M. BOYD,

CASE NO. 07-07-11660

Plaintiff,

JUDGE

VICTORIA A. ROBERTS

FLINT HOUSING COMMISSION

COMPLAINT FOR DECLARA-
TORY AND INJUNCTIVE
RELIEF

LATWEETA WYNN, in her official
capacity as Director of the Section 8
Program of the Flint Housing Commission,

LAWRENCE D. WILLIAMS in his official
capacity as Executive Director of the
Flint Housing Commission,

Defendants.

LEGAL SERVICES OF EASTERN MICHIGAN
Christopher Pasini (P40108)
Jill Nylander (P45371)
Attorneys for Plaintiff
436 S. Saginaw Street
Flint, MI 48502
(810) 234-2621

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

PRELIMINARY STATEMENT

1. This action is based on Plaintiff's entitlement to continued participation in the Section 8 Housing Choice Voucher Program (Voucher Program) administered by the Flint Housing Commission (FHC), the public housing authority (PHA) for the City of Flint, Michigan. The FHC wrongly terminated Plaintiff from the program

by not granting Plaintiff's requests for a pre-termination grievance hearing to challenge her wrongful termination, by not providing her with adequate notice of her grievance hearing rights, and by improperly determining that she had not reported income to the FHC.

2. The Voucher Program is governed by 42 U.S.C. §1437f, the Code of Federal Regulations and the due process clause of the 14th amendment of the United States Constitution. The purpose of the Voucher Program is to provide lower income families with safe, decent affordable and sanitary housing.
3. Plaintiff seeks a declaration that her termination from the Voucher Program by Defendants violates the due process requirements of 24 C.F.R. § 982.555 and the due process clause of the fourteenth amendment of the United States Constitution.
4. Consistent with the foregoing, Plaintiff also seeks to enjoin Defendants to reinstate her as a participant in the Voucher Program and to issue her a voucher with which she can immediately obtain federally assisted rental housing under the Voucher Program.

JURISDICTION

5. This Court has jurisdiction to try this case under 28 U.S.C. § 1331 because it concerns a "federal question" litigation comprising a civil action arising under the laws of the United States.
6. Jurisdiction is also conferred by 28 U.S.C. § 1343(a)(3) and (a)(4).
7. Plaintiff's claims for declaratory and injunctive relief are authorized by 28 U.S.C. § 2201 and 2202 with respect to the Defendants.

PARTIES

8. Plaintiff Tekera Boyd is a natural person residing in Flint, Michigan.
9. The Flint Housing Commission is a sub-division of the City of Flint, State of Michigan and is a person within the scope 42 U.S.C. 1983.
10. Defendant Latweeta Wynn is the FHC official responsible for administering the Voucher Program operated by the FHC and has personally made all administrative decisions material hereto. She is sued in her official capacity.
11. Defendant Lawrence Williams is the Interim Executive Director of the FHC and is the person responsible for overseeing the FHC's administrative decisions. He is sued in his official capacity.

STATUTORY AND REGULATORY BACKGROUND

12. As set forth in 42 U.S.C. 1437f(a), the Voucher Program was established by Congress under the following policy:

For the purpose of aiding lower income families in obtaining a decent place to live and of promoting economically mixed housing, assistance payments may be made with respect to existing housing in accordance with the provisions of this section.

13. The Voucher Program operates as follows: The United States Department of Housing and Urban Development (HUD) authorizes public housing authorities (PHAs), including the FHC, to issue a fixed number of vouchers to assist low income households in obtaining affordable housing. HUD also provides funds to the PHA to run the program. After being admitted to the Voucher Program, the participant (as Plaintiff was before her wrongful termination) then looks for a

rental unit which meets the HUD Housing Quality Standards (HQS) and whose owner is willing and eligible to participate. Once the PHA approves the tenancy, a lease and addendum are signed by the participant tenant and the owner/landlord, and the PHA and the owner enter into a Housing Assistance Payments (HAP) contract. Under this arrangement, the tenant family pays at least 30% of its adjusted income towards the "contract" rent (e.g., market rent), and the PHA pays the remainder of the contract rent to the owner, in the form of a HAP subsidy. The PHA takes information from the participant in order to calculate the participant's share of the rent in a process called "rent certification". Once the tenant reaches this point, the tenant remains a participant in the Voucher Program unless she withdraws or the PHA terminates her from the program pursuant to federal rules. See, generally, 42 U.S.C. 1437f; 24 C.F.R. § 982.

14. 24 C.F.R. § 982.551(b) states that a participating family:

- (2) . . . must supply any information requested by the PHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.

15. Under 24 C.F.R. § 982.552(c)(i), the PHA may terminate assistance for a Voucher Program participant because of the participant family's action or failure to act where "the family violates any family obligations under the program (see § 982.551)".
16. 24 C.F.R. § 982.555 provides that Voucher Program participants are entitled to specific procedural rights related to a PHA's decision to terminate a participant's Section 8 voucher.

17. 24 C.F.R. § 982.555(a)(1)(v) states that a PHA must give a participant family an opportunity for an informal hearing to consider whether the PHA's decision to terminate is in accordance with the law, HUD regulations and PHA policies regarding a "determination to terminate assistance for a participants family because of the family's action or failure to act" (see § 982.552)."
18. 24 C.F.R. § 982.555(a)(2) states that in cases "described in paragraphs (a)(1)(iv), (v) and (vi) of this section, the PHA must give an opportunity for an informal hearing before the PHA terminates housing assistance payments for the family."
19. Under 24 C.F.R. § 982.555(c)(2), the PHA must give the family prompt written notice that the family may request a hearing. The notice must;
 - (i) Contain a brief statement of reasons for the decision,
 - (ii) State that if the family does not agree with the decision, the family may request an informal hearing on the decision, and,
 - (iii) State the deadline for the family to request an informal hearing.
20. 24 C.F.R. § 982.555(d) requires the PHA to proceed with a required hearing in a "reasonably expeditious manner upon the request of the family."

FACTS

21. Plaintiff and her family were Voucher Program participants when on or about October 27, 2005, the FHC mailed a notice of that same date addressed to Plaintiff who received it on or about October 29, 2005. That notice states that effective December 1, 2005 Plaintiff was "no longer eligible to participate in the Voucher Program due to ...unreported income in 2003 and 2004." A copy of the notice is attached and labeled Plaintiff's Exhibit #1.

22. The notice did not comply with the 24 C.F.R. § 982.555(c)(2)(iii) requirement that it state a deadline by which the Plaintiff's family had to request an informal hearing to challenge the decision to terminate her participation in the program. It also did not state what income she allegedly did not report. Also, there was no enclosed copy of the FHC Grievance Hearing Procedure alluded to in the notice. See attached Plaintiff's Exhibit #1 which is a copy of the notice.
23. On or about November 2, 2005, Plaintiff dropped off a letter at the FHC office addressed to Defendant Latweeta Wynn in which she protested the termination of her participation from the Voucher Program, asserted that she had reported all family income and requested Ms. Wynn to contact her if further information was needed. A full copy of the letter is attached hereto and is labeled Plaintiff's Exhibit #2.
24. The FHC's grounds for termination that Plaintiff did not report her income for 2003 and 2004 are false.
25. Plaintiff had faxed the FHC her employment earnings record for 2003 on July 8, 2003. A copy of the earnings record is attached hereto and is labeled Plaintiff's Exhibit #3.
26. A copy of the fax Transmission Verification Report dated July 8, 2003 is attached hereto and is labeled Plaintiff's Exhibit #4.
27. Plaintiff reported her employment earnings for 2004 to the FHC by fax on August 3, 2004. A copy of the earnings record is attached hereto and is labeled Plaintiff Exhibit #5. A copy of the fax transmission report is attached hereto and is labeled Plaintiff's Exhibit #6.

28. Plaintiff also reported to the FHC all other family income including her son's former receipt of Retirement Survivor's Disability Insurance.
29. Defendants did not respond to Plaintiff's November 2, 2005 letter until the first week of December, 2005 when Defendant Wynn left her a telephone message to call her back.
30. Throughout December, 2005, Plaintiff left several telephone messages with the FHC in which she stated that she wanted to meet with an FHC official, including Defendant Latweeta Wynn, to show why she should not be terminated from the Voucher Program.
31. Defendant Latweeta Wynn did not further respond to Plaintiff's telephone messages until on or about December 27, 2005 at which time she told Plaintiff that she would be contacted later.
32. On or about January 11, 2006 Defendant Latweeta Wynn sent Plaintiff a letter accusing her of fraud but not granting Plaintiff a hearing. Plaintiff received the letter without any other enclosure. A copy of the letter is attached hereto and labeled Plaintiff's Exhibit # 7.
33. Objecting to the allegation of fraud, on or about January 24, 2006, Plaintiff dropped off at the FHC office an explicit request for a hearing directed to Defendant Latweeta Wynn. A copy of this two page hearing request is attached hereto and labeled Plaintiff's Exhibit # 8.
34. Defendants still did not grant Plaintiff a hearing despite her explicit request for one.

35. Defendants never gave Plaintiff proper notice or the hearing to which she was entitled. This deprived Plaintiff of her Voucher Program participation property right and of her due process rights afforded under 42 U.S.C. 1437f, 24 C.F.R. § 982.551-.555 and the due process clause of the 14th amendment of the United States Constitution.

CAUSE OF ACTION

Violation of the right to due process of law as guaranteed by the Fourteenth amendment of the United States Constitution and 42 U.S.C. § 1983

36. Defendants' termination of Plaintiff's participation in the Voucher Program without proper notice and without an opportunity for a pre-termination hearing violates the her due process rights under the 14th amendment of the United States Constitution, 42 U.S.C. 1437f, and 24 C.F.R. § 982.555.
37. As a result of Defendants' violation of Plaintiff's constitutionally secured rights, Plaintiff has suffered injury, for which Defendants, who were acting under color of state law, are liable, under 42 U.S.C. 1983.

REQUEST FOR RELIEF

Plaintiff Takeria Boyd requests that this Court:

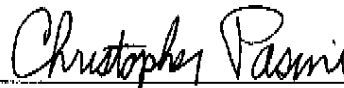
- A. Find and declare that Defendants' termination of Plaintiff's participation in the Section 8 Housing Choice Voucher Program without giving her proper notice or a pre-termination hearing violated Plaintiff's rights under 42 U.S.C. 1437f, 24 C.F.R. § 982.555, and the 14th amendment of the United States Constitution.
- B. Issue a preliminary injunction and permanent injunction enjoining Defendants to immediately issue Plaintiff a Section 8 Housing Choice Voucher and to reinstate

Plaintiff to the Section 8 Housing Choice Voucher Program which Defendants administer.

- C. Grant Plaintiff the costs and fees incurred as a result of this action.
- D. Grant Plaintiff such other and further relief that is fair, just, proper, legal and equitable.

Respectfully submitted,

Dated: 04/09/07



LEGAL SERVICES OF EASTERN MICHIGAN

Christopher Pasini (P-40108)

and

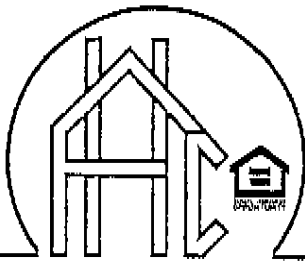
Jill Nylander (P45371)

Attorneys at Law

436 S. Saginaw Street

Flint, MI 48502

(810) 234-2621



FLINT HOUSING COMMISSION

3820 Richfield Rd • Flint, Michigan 48506

Phone: (810) 736-3050

Ms. Gail Edwards

MI 9-1

Richard Manor (Elderly)
902 E. Court St. 48503

MI 9-2

Howard Estates (Family)
801 Floral Park 48503
(810) 234-4614

MI 9-3

Acherton East (Family)
3123 Chambers 48507
(810) 743-4810

MI 9-4

Garland Apartments (Elderly)
820 & 906 Garland St. 48503

MI 9-5

River Park Apartments (Family)
7002 Pemberton Dr. 48505
(810) 789-3464

MI 9-6

Centerview Apartments (Elderly)
2001 N. Center Rd. 48506

MI 9-7

Forest Park (Elderly)
4060 M.L. King Ave. 48505

MI 9-8 & MI 9-10

Scattered Sites (Family)

MI 9-11

Mince Manor (Elderly)
3800 Richfield Rd. 48506
(810) 736-3377

MI 9-14

Aldridge Place (Family)
5838 Edgar Holt Drive 48505
(810) 785-8102

MI 9-15

Kenneth M. Simmons Square
(Elderly)
2101 Stedron 48504
(810) 787-5910

Section 8 Program
(810) 736-3050

OCTOBER 27, 2005

TEKERA BOYD

3702 WINONA STREET

FLINT, MI 48504

Dear TEKERA BOYD:

Please be advised this letter serves as official notice that effective DECEMBER 01, 2005 you are no longer eligible to participate in the Section 8 Program due to the following item(s) checked below:

- ☐ No Contact with Section 8 Department
- ☐ Certification Expired
- ☐ No Show for Scheduled Appointment
- ☐ No Response to Recertification Letter
- ☐ Moved Without Required Proper Notice
- ☐ Remained Over-Income after 6 Months
- ☒ Violation of Section 8 Policy UNREPORTED INCOME IN 2003 & 2004
- ☐ Other _____

If you disagree with this decision, you may submit, **IN WRITING** to this office, a request for an informal hearing. If applicable, a copy of the Grievance Hearing Procedures is attached.

Sincerely,

Denise Courtney
PLAINTIFF'S EXHIBIT 1

SECTION 8 DEPARTMENT STAFF

CC: FAIRHAVEN SDA CHURCH

TDD: (810) 736-5212



FAX: (810) 736-0158

05 NOV -2 PM 2:08

Dear, Mrs. Wynn

My name is Tekera Boyd, I'm writing to you in regards of a notice I received 10-29-05 stating I will no longer be eligible for Section 8. It stated on notice I didn't report income for 2003 + 2004. Mrs. Wynn "I totally disagree with that information, everything that was asked of me to report, I reported by fax, I spoke with Courtney Blackwell Nov 1, 05 to try to get some understanding and to tell her everything was reported right down to the change of my son's RSDI he receives every month. All I have (if you would accept) is my copies of what was faxed to Sec. 8.

It can be reached at (810) 785-8106 or (810) 814-0771 for further information you may need

Thank you
 Mrs. Boyd

07/08/2003 10:35 810-230-80

QUALIFIED STAFFING

PAGE 81

EMPLOYEE CHECK HISTORY INQUIRY

07/08/2003

PR320.0NC

EMPLOYEE: BOYD, TERRA
S S #: 102-70-0162

EMPLOYER: Q-TEMPS
ADDRESS: 2304 STONEBRIDGE DRIVE BUILDING 0
CY/ST/ZIP: FLINT MI 48532

FOR PERIOD: 01/01/2003 TO 12/31/2003

		C H E C K S										HOURS	
W/E	CHECK	CHECK	GROSS	FICA	PEDTAX	STATE	LOCAL	FED	DEDUCTS	MISC.	NET	REG.	O.T.
DT.	DATE	#	PAY	W/H	W/H	W/H	W/H	W/H		PAY	PAY		
04/27	05/01/2003	108441	96.00	7.34	.00	.00	.96	.00	.00	.00	87.70	16.00	.00
05/04	05/08/2003	109389	222.00	16.98	5.37	4.38	2.22	.00	.00	.00	193.05	37.00	.00
05/11	05/15/2003	110176	174.00	13.31	.00	.00	1.74	.00	.00	.00	131.64	24.00	.00
05/18	05/22/2003	111238	144.00	11.02	.00	.00	1.44	.00	.00	.00	112.97	31.45	.00
05/25	05/29/2003	112089	188.70	14.44	.00	.00	1.89	.00	.00	.00	171.56	31.30	.00
06/01	06/05/2003	113118	187.00	14.36	.00	.00	1.88	.00	.00	.00	274.17	40.00	7.30
06/08	06/12/2003	114121	305.70	23.36	2.01	3.08	3.06	.00	.00	.00	175.40	32.00	.00
06/15	06/19/2003	115096	192.00	14.68	.00	.00	1.92	.00	.00	.00	182.93	28.45	.00
06/22	06/26/2003	116067	170.70	13.06	.00	.00	1.71	.00	.00	.00	175.40	32.00	.00
06/29	07/03/2003	116576	193.00	14.68	.00	.00	1.92	.00	.00	.00			
			1872.90	143.25	7.38	7.46	18.74	.00	.00	.00	1596.07	301.20	7.30

C/O Courtney Blackwell

TRANSMISSION VERIFICATION REPORT

TIME : 07/08/2003 11:41
NAME : HUMAN INVESTMENT
FAX : 8184247041
TEL : 8182356011

Tekera Boyd

DATE/TIME	07/08 11:41
FAX NO./NAME	187360158
LOCATION	08:00:23
STATUS	12
RESULT	OK
NOTE	TANDEM
	CM

08/03/2004 08:42

B10-230-805

QUALIFIED STAFFING

PAGE 01

PR320.QNE

EMPLOYEE CHECK HISTORY INQUIRY

08/03/2004

EMPLOYEE: BOYD, TEKUNA

EMPLOYER: Q-TEMP

S.S.#: 162-76-0162

ADDRESS: 2304 STONEBRIDGE DRIVE BUILDING D

CY/ST/ZIP: PLANT

MI 48332

FOR PERIOD: 01/01/2004 TO 12/31/2004

WZ DT.	CHECK DATE	CHCK #	GROSS PAY	FICA W/H	FEDTAX W/H	C H S C K S		SDI W/H	DEDUCTS	MISC. PAY	NET PAY	HOURS	
						STATE W/H	LOCAL W/H					REG.	O.T.
04/11	04/15/2004	160357	256.00	19.88	.00	.70	2.54	.00	.00	.00	233.16	32.00	.00
04/18	04/22/2004	160704	320.00	24.48	3.05	3.26	3.20	.00	.00	.00	286.01	40.00	.00
04/26	04/28/2004	160525	361.20	21.51	.00	1.71	2.81	.00	.00	.00	359.17	36.14	.00
05/02	05/06/2004	161733	320.00	24.48	3.05	3.26	3.20	.00	.00	.00	286.01	40.00	.00
05/09	05/13/2004	162165	338.00	25.86	4.85	3.88	3.38	.00	.00	.00	299.93	40.00	1.50
05/16	05/20/2004	163471	312.00	23.86	2.25	2.94	3.12	.00	.00	.00	279.83	39.00	.00
05/23	05/27/2004	165105	312.00	23.86	2.25	2.94	3.12	.00	.00	.00	279.83	39.00	.00
05/23	06/03/2004	166265	9.00	.69	.00	.00	.09	.00	.00	.00	8.22	.00	.75
05/30	06/03/2004	166266	380.00	29.07	9.05	5.66	3.80	.00	.00	.00	332.42	40.00	5.00
06/06	06/10/2004	167162	200.00	15.93	.00	.00	2.08	.00	.00	.00	179.00	26.00	.00
06/13	06/17/2004	168074	320.00	24.48	3.05	3.26	3.20	.00	.00	.00	286.01	40.00	.00
06/20	06/24/2004	169676	320.00	24.48	3.05	3.26	3.20	.00	.00	.00	286.01	40.00	.00
06/27	06/30/2004	170303	320.00	24.48	3.05	3.26	3.20	.00	.00	.00	286.01	40.00	.00
07/04	07/08/2004	171619	320.00	24.48	3.05	3.18	3.20	.00	.00	.00	286.09	40.00	.00
07/11	07/15/2004	172781	172.00	13.15	.00	.00	1.72	.00	.00	.00	157.13	21.50	.00
07/18	07/22/2004	173530	350.00	26.78	6.05	4.35	3.50	.00	.00	.00	309.35	40.00	2.50
07/25	07/29/2004	174467	369.80	28.29	8.03	5.12	3.70	.00	.00	.00	324.66	40.00	4.15
08/01	08/12/2004	176712	350.00	26.78	6.05	4.35	3.50	.00	286.09	.00	23.23	40.00	2.50
			5258.00	402.23	96.83	51.23	52.58	.00	286.09	.00	4409.04	632.65	16.40

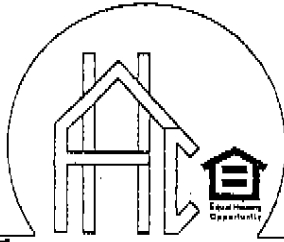
TRANSMISSION VERIFICATION REPORT

TIME : 08/03/2004 10:50
NAME : HUNAN INVESTMENT
FAX : 8104247841
TEL : 8102956811

DATE, TIME	8/03 10:50
FAX NO./NAME	107360158
DURATION	0:00:38
PAGE(S)	2
RESULT	R
MODE	STANDARD

Faxed on
8.3.04

c/o D. Blackwell



FLINT HOUSING COMMISSION

3820 Richfield Road, Flint, Michigan 48506

Phone: (810) 736-3050 Fax: (810) 736-0158

JANUARY 11, 2006

TEKERA BOYD

3702 WINONA ST

FLINT, MI 48504

Dear Ms. Boyd

This letter is to inform you of the outstanding balance owed to the Flint Housing Commission. There was a total amount of income received by your household that was not reported to Section 8. Because you received income and did not report it, your Section 8/Housing Choice Voucher was terminated.

The unreported income was calculated and included into the income that was actually reported to Section 8 and the difference between what was paid and what should have been paid is to be paid back to Section 8 for the overpayment. Our records indicate that you owe to the Flint Housing Commission \$ 2472.00.

You are being advised to clear your account with the Flint Housing Commission. You must contact this office no later than 1/24/06 to set up payment arrangements. If you do not contact this office by 1/24/06 the amount owed will be sent to the collections agency. This information will also be placed on your credit report and sent to HUD and reported as fraud.

Enclosed, please find a copy of a Payment Agreement form. Please complete out the Payment Agreement form and return to this office as soon as possible.

Should you have any questions or concerns, please feel free to contact us at (810) 736-3050.

Sincerely,

Latweeta Wynn, MSW

Director

Housing Choice Voucher Program

Cc: file

TO: Mrs. Wynn

1 Texera

Drop Off Notice
of hearing
1/24/06

To: Ms. Wynn

I Ikera Boyd would like to request ~~an~~ formal hearing (Grievance Procedure) in regards of my eligibility for Sec 8.

Thank you

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Tekera M. Boyd

(b) County of Residence of First Listed Plaintiff Genesee
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
Legal Services of Eastern Michigan/Christopher Pasini P40108/Jill Nyländer P4537
436 S. Saginaw St. Flint, MI 48502
(810) 234-2621

DEFENDANTS

Flint Housing Commission, Latweta Wynn and Lawrence D. Williams in their official capacities as officers of the Flint Housing Commission

County of Residence of First Listed Defendant Genesee
(IN U.S. PLAINTIFF CASES ONLY)

2007 APR 13 A 9:08

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

Attorneys (If Known)

VICTORIA A. ROBERTS
DONALD A. SCHEER

II. BASIS OF JURISDICTION (Select One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Select One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated in Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Select One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input checked="" type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Select One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. 1437f, 42 U.S.C. 1983

Brief description of cause:

Defendants wrongfully terminated Plaintiff's Section 8 Housing Choice Voucher

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$
Injunctive relief

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

Christopher Pasini

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

April 8, 2007

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :
